

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO.:</div> </div> ATTORNEY FOR (Name): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:	
EX PARTE <input type="checkbox"/> RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT (RESIDENT) <input type="checkbox"/> ORDER FOR ISSUANCE OF ADDITIONAL WRIT OF ATTACHMENT (RESIDENT)	CASE NUMBER:

1. The application and supporting declaration or affidavit of plaintiff (*name*):
 for an ex parte ☐ right to attach order and order for issuance of writ of attachment ☐ order for issuance of an additional writ of attachment has been considered by the court.

FINDINGS

2. THE COURT FINDS
- a. Defendant (*specify name*): _____ is a ☐ natural person
☐ partnership ☐ unincorporated association ☐ corporation ☐ other (*specify*): _____
 - b. The claim upon which the application is based is one upon which an attachment may be issued under Code of Civil Procedure section 483.010.
 - c. Plaintiff has established the probable validity of the claim upon which the attachment is based.
 - d. The attachment is not sought for a purpose other than the recovery on the claim upon which the application is based.
 - e. The amount to be secured by the attachment is greater than zero.
 - f. The affidavit or declaration accompanying the application shows that the property sought to be attached, or the portions thereof to be specified in the writ, are not exempt from attachment.
 - g. The portion of the property sought to be attached described in item 3b is not exempt from attachment.
 - h. An undertaking in the amount of: \$ _____ is required before a writ shall issue, and plaintiff ☐ has ☐ has not filed an undertaking in that amount.
 - i. Great or irreparable injury will result to the plaintiff if issuance of the order is delayed until the matter can be heard on notice, based on the following:
 - (1) ☐ There is a danger that the property sought to be attached would be
 - (a) ☐ concealed. (b) ☐ substantially impaired in value.
 - (c) ☐ made unavailable to levy by other than concealment or impairment in value.
 - (2) ☐ Defendant has failed to pay the debt underlying the requested attachment and is insolvent as defined in Code of Civil Procedure section 485.010, subdivision (b)(2), as set forth in the affidavit or declaration filed in support of this application, which specifies the defendant's known undisputed debts and the basis for plaintiff's determination that the defendant's debts are undisputed.
 - (3) ☐ A bulk sales notice was recorded and published pursuant to Division 6 of the Commercial Code with respect to a bulk transfer by the defendant.
 - (4) ☐ An escrow has been opened pursuant to the provisions of Business and Professions Code section 24074 with respect to the sale by the defendant of a liquor license. The liquor license number is: _____
 - (5) ☐ Other circumstances (*specify*): _____
 - j. ☐ A Right to Attach Order was issued on (*date*): _____ pursuant to ☐ Code of Civil Procedure section 484.090 (on notice) ☐ Code of Civil Procedure section 485.220 (ex parte)
 - k. ☐ Other (*specify*): _____

SHORT TITLE: _____	CASE NUMBER:
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ORDER

3. THE COURT ORDERS

- a. Plaintiff has a right to attach property of defendant (*name*):
in the amount of: \$
- b. The clerk shall issue ☐ a writ of attachment ☐ an additional writ of attachment in the amount stated in item 3a
☐ forthwith ☐ upon the filing of an undertaking in the amount of: \$
(1) ☐ for the property covered by a bulk sales notice with respect to a bulk transfer by defendant or the proceeds of the sale
of such property, described as follows (*specify*):
- (2) ☐ for plaintiff's pro rata share of proceeds from an escrow in which defendant's liquor license is sold. The license number
is (*specify*):
- (3) ☐ for any property of a defendant who is **not** a natural person for which a method of levy is provided.
- (4) ☐ for property of a defendant who is a natural person subject to attachment under Code of Civil Procedure section
487.010 (*specify*):
- c. ☐ Defendant shall transfer to the levying officer possession of
- (1) ☐ any documentary evidence in defendant's possession of title to any property described in item 3b.
- (2) ☐ any documentary evidence in defendant's possession of debt owed to defendant described in item 3b.
- (3) ☐ the following property in defendant's possession (*specify*):

<p>NOTICE TO DEFENDANT: FAILURE TO COMPLY WITH THIS ORDER MAY SUBJECT YOU TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT.</p>
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d. ☐ Other (*specify*):

e. Total number of boxes checked in item 3: _____

Date:

<p>.....</p> <p>(TYPE OR PRINT NAME)</p>	<p></p> <p>_____ (SIGNATURE OF JUDGE OR MAGISTRATE JUDGE)</p>
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ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO.:</div> </div> ATTORNEY FOR (<i>Name</i>): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:	
<input type="checkbox"/> RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT AFTER HEARING <input type="checkbox"/> ORDER FOR ISSUANCE OF ADDITIONAL WRIT OF ATTACHMENT AFTER HEARING	
CASE NUMBER:	

1. a. The application of plaintiff (*name*):
 for ☐ a right to attach order and order for issuance of writ of attachment
☐ an order for issuance of additional writ of attachment
 against the property of defendant (*name*):
 came on for hearing as follows:
 (1) Judge (*name*):
 (2) Hearing date: _____ Time: _____ Dept.: ☐ Div.: ☐ Rm.: ☐
- b. The following persons were present at the hearing:
 (1) ☐ Plaintiff (*name*): _____ (3) ☐ Plaintiff's attorney (*name*): _____
 (2) ☐ Defendant (*name*): _____ (4) ☐ Defendant's attorney (*name*): _____

FINDINGS

2. THE COURT FINDS
- a. Defendant (*specify name*): _____ is a ☐ natural person ☐ partnership
☐ unincorporated association ☐ corporation ☐ other (*specify*): _____
- b. The claim upon which the application is based is one upon which an attachment may be issued.
- c. Plaintiff has established the probable validity of the claim upon which the attachment is based.
- d. The attachment is not sought for a purpose other than the recovery on the claim upon which the attachment is based.
- e. The amount to be secured by the attachment is greater than zero.
- f. ☐ Defendant failed to prove that all the property described in plaintiff's application is exempt from attachment.
- g. ☐ The following property of defendant, described in plaintiff's application
 (1) ☐ is exempt from attachment (*specify*): _____
 (2) ☐ is not exempt from attachment (*specify*): _____
- h. ☐ The following property, not described in plaintiff's application, claimed by defendant to be exempt
 (1) ☐ is exempt from attachment (*specify*): _____
 (2) ☐ is not exempt from attachment (*specify*): _____
- i. ☐ An undertaking in the amount of: \$ _____ is required before a writ shall issue, and plaintiff
☐ has ☐ has not filed an undertaking in that amount.
- j. A Right to Attach Order was issued on (*date*): _____ pursuant to
☐ Code of Civil Procedure section 484.090 (on hearing) ☐ Code of Civil Procedure section 485.220 (ex parte)
- k. ☐ Other (*specify*): _____

SHORT TITLE: _____	CASE NUMBER:
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ORDER

3. THE COURT ORDERS

- a. Plaintiff has a right to attach property of defendant (*name*):
in the amount of: \$
- b. ☐ The property described in items 2g(1) and 2h(1) of the findings is exempt and shall not be attached.
- c. The clerk shall issue ☐ a writ of attachment ☐ an additional writ of attachment in the amount stated in item 3a
☐ forthwith ☐ upon the filing of an undertaking in the amount of: \$
- (1) ☐ for any property of a defendant who is **not** a natural person for which a method of levy is provided.
- (2) ☐ for the property of a defendant who is a natural person that is subject to attachment under Code of Civil Procedure section 487.010, described as follows (*specify*):

- (3) ☐ for the property covered by a bulk sales notice with respect to a bulk transfer by defendant or the proceeds of sale of such property, described as follows (*specify*):

- (4) ☐ for plaintiff's pro rata share of proceeds from an escrow in which defendant's liquor license is sold. The license number is (*specify*):

- d. ☐ Defendant shall transfer to the levying officer possession of
- (1) ☐ any documentary evidence in defendant's possession of title to any property described in item 3c;
- (2) ☐ any documentary evidence in defendant's possession of debt owed to defendant described in item 3c;
- (3) ☐ the following property in defendant's possession (*specify*):

NOTICE TO DEFENDANT: FAILURE TO COMPLY WITH THIS ORDER MAY SUBJECT YOU TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT.

- e. ☐ Other (*specify*):

- f. Total number of boxes checked in item 3: _____

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF JUDGE OR MAGISTRATE JUDGE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, state bar number, and address</i>): After recording return to: TELEPHONE NO.: FAX NO. (<i>Optional</i>): E-MAIL ADDRESS (<i>Optional</i>): ATTORNEY FOR (<i>Name</i>):	
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
FOR RECORDER'S USE ONLY	
PLAINTIFF: DEFENDANT:	CASE NUMBER
NOTICE OF ATTACHMENT [This form is used in connection with levy under a writ of attachment.]	LEVYING OFFICER (<i>Name and Address</i>):

TO THE PERSON NOTIFIED (*name*):

1. Plaintiff in this action seeks to attach property in which defendant has an interest. The property to be attached is
 - a. ☐ (*describe property*):
 - b. ☐ described in the *Writ of Attachment and Order for Issuance of Writ of Attachment*, attached hereto and incorporated by reference.
2. You are notified as
 - a. ☐ a defendant.
 - b. ☐ a person other than defendant (*state capacity in which person is being notified*):

(Read Information for Defendant or Information for Person Other than Defendant on reverse.)

3. A notice was filed with the
 - a. ☐ Secretary of State.
 - b. ☐ Department of Motor Vehicles.
 - c. ☐ Department of Housing and Community Development.

4. Notice of Attachment was
 - a. ☐ mailed on (*date*):
 - b. ☐ delivered on (*date*):
 - c. ☐ posted on (*date*):
 - d. ☐ filed on (*date*):
 - e. ☐ recorded on (*date*):

Signed by:



☐ Levying officer ☐ Registered process server

— INFORMATION FOR DEFENDANT —

1. The levying officer may be required to take custody of property described in item 1 in your possession or under your control. You have a right to be represented by an attorney in this lawsuit.
2. You may claim any available exemption for your property. An exemption for real property may be claimed any time before the entry of judgment. If the right to attach order or writ of attachment was issued without a noticed hearing and you wish to claim an exemption for personal property, you must do so within 30 days after the levying officer serves you with the Notice of Attachment describing the property. If you do not claim an exemption, you may lose it and the property is subject to attachment. If you wish to seek the advice of an attorney, you should do so immediately so that a claim of exemption can be filed on time.
3. Plaintiff has filed an undertaking. You have the right to object to the undertaking and may apply for an order to substitute an undertaking for your property which has been or is subject to being attached.
4. You have a duty to release tangible personal property to the levying officer. You have the rights and duties specified in Code of Civil Procedure section 488.395 if your farm products or inventory of a going business have been or are subject to attachment.
5. If the property is perishable or will greatly deteriorate in value, or for other good reason, you may apply ex parte, or if the court or court rule requires, by noticed motion, for an order appointing a receiver or directing the levying officer to take any action necessary to preserve the value of the property, including selling the property. The court may order any receiver to be paid from the proceeds of the sale of your property.
6. You may apply for a release of the attachment to the extent that the value of your interest in the property exceeds the amount necessary to satisfy the attachment.
7. You may apply to the court for an order modifying or vacating any temporary protective order in the interests of justice or for an order terminating the same upon filing an undertaking.
8. If the writ of attachment has been issued against you because you are a nonresident, you may have the right to attach order set aside by filing a general appearance.
9. If the writ of attachment was issued on an ex parte application, you may apply for an order that the right to attach order be set aside, the writ quashed, and any property levied upon pursuant to the writ be released.
10. If you recover judgment against plaintiff, you may apply for a release of all property attached by plaintiff under the Writ of Attachment. If judgment is recovered against you and you appeal, you have the right to obtain the release of your property by filing a sufficient undertaking.
11. You may object to the amount sought to be secured by the attachment.
12. You may recover damages for wrongful attachment.

— INFORMATION FOR PERSON OTHER THAN DEFENDANT —

1. If the property attached or sought to be attached is in your possession or under your control and you do not claim the right to possession or a security interest, you must deliver the property to the levying officer. If you do not deny an obligation levied upon or do not claim a priority over the plaintiff's lien, you must pay to the levying officer the amount that is due and payable and that becomes due and payable during the period of the attachment lien. You must execute and deliver any documents needed to transfer the property.
2. You must complete the accompanying Memorandum of Garnishee.
3. If you claim ownership or the right to possession of real or personal property levied upon or if you claim a security interest in or lien on personal property levied upon, you may make a third-party claim and obtain the release of the property pursuant to Code of Civil Procedure sections 720.010–720.800.
4. If you have an interest in the property attached or sought to be attached and the property is perishable or will greatly deteriorate in value, or for other good reason, you may apply ex parte, or if the court or court rule requires, by noticed motion, for an order appointing a receiver or directing the levying officer to take any action necessary to preserve the value of the property, including selling the property. The court may order any receiver to be paid from the proceeds of the sale of your property.
5. **Make checks payable to the levying officer.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):		FOR COURT USE ONLY
TELEPHONE NO. :		
E-MAIL ADDRESS (Optional):	FAX NO. (Optional):	
ATTORNEY FOR (Name):		
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
PLAINTIFF:		
DEFENDANT:		
WRIT OF ATTACHMENT <input type="checkbox"/> AFTER HEARING <input type="checkbox"/> EX PARTE		CASE NUMBER:

1. TO THE UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF CALIFORNIA
2. To any local or state law enforcement officer authorized to serve this writ in accord with CCP 488.080.
3. To any private person specially appointed by the court to serve this writ in accord with Local Rule 64-1, 64-2 & 64-3.
4. This writ is to attach property of defendant (name and last known address):

and the attachment is to secure: \$

5. Name and address of plaintiff:

6. YOU ARE DIRECTED TO ATTACH the following property or so much thereof as is clearly sufficient to satisfy the amount to be secured by the attachment (*describe property and state its location; itemize by letter*):

- ☐ This information is on an attached sheet.

7. ☐ An interest in the real property described in item 5 stands upon the records of the county, in the name of the following person other than the defendant:

- a. Name:

- b. Mailing address, if known, as shown by the records of the office of the county tax assessor (*specify*):

8. ☐ The real property on which the

- ☐ crops described in item 5 __ are growing

- ☐ timber described in item 5 ___ to be cut is standing stands upon the records of the county in the name of

- a. Name:

- b. Address:

[SEAL]

Date:

Clerk, by _____, Deputy

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ORDER

3. THE COURT ORDERS

- a. Plaintiff has a right to attach property of the nonresident defendant named in item 2a in the amount of: \$
- b. The clerk shall issue ☐ a writ of attachment ☐ an additional writ of attachment in the amount stated in item 3a ☐ forthwith ☐ upon the filing of an undertaking in the amount of: \$ against the following property of defendant:

- c. Special appointment for service by a private person pursuant to Local Rule 64.
- d. ☐ Defendant shall transfer to the levying officer possession of
- (1) ☐ any documentary evidence in defendant's possession of title to any property described in item 3b.
 - (2) ☐ any documentary evidence in defendant's possession of debt owed to defendant described in item 3b.
 - (3) ☐ the following property in defendant's possession (*specify*):

NOTICE TO DEFENDANT: FAILURE TO COMPLY WITH THIS ORDER MAY SUBJECT YOU TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT.

- e. ☐ Other (*specify*):

- f. Total number of boxes checked in item 3: _____

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF JUDGE OR MAGISTRATE JUDGE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO.:</div> </div> ATTORNEY FOR (Name): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:	
APPLICATION FOR <input type="checkbox"/> RIGHT TO ATTACH ORDER <input type="checkbox"/> TEMPORARY PROTECTIVE ORDER <input type="checkbox"/> ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT <input type="checkbox"/> ORDER FOR ISSUANCE OF ADDITIONAL WRIT OF ATTACHMENT <input type="checkbox"/> After Hearing <input type="checkbox"/> Ex Parte <input type="checkbox"/> Against Property of Nonresident	CASE NUMBER:

1. Plaintiff (*name*):
 applies ☐ after hearing ☐ ex parte for
 - a. ☐ a right to attach order and writ of attachment.
 - b. ☐ an additional writ of attachment.
 - c. ☐ a temporary protective order.
 - d. ☐ an order directing the defendant to transfer to the levying officer possession of
 - (1) ☐ property in defendant's possession.
 - (2) ☐ documentary evidence in defendant's possession of title to property.
 - (3) ☐ documentary evidence in defendant's possession of debt owed to defendant.

2. Defendant (*name*):
 - a. ☐ is a natural person who
 - (1) ☐ resides in California.
 - (2) ☐ does not reside in California.
 - b. ☐ is a corporation
 - (1) ☐ qualified to do business in California.
 - (2) ☐ not qualified to do business in California.
 - c. ☐ is a California partnership or other unincorporated association.
 - d. ☐ is a foreign partnership that
 - (1) ☐ has filed a designation under Corporations Code section 15800.
 - (2) ☐ has not filed a designation under Corporations Code section 15800.
 - e. ☐ is other (*specify*):

3. Attachment is sought to secure recovery on a claim upon which attachment may issue under Code of Civil Procedure section 483.010.

4. Attachment is not sought for a purpose other than the recovery on a claim upon which the attachment is based.

5. Plaintiff has no information or belief that the claim is discharged or the prosecution of the action is stayed in a proceeding under Title 11 of the United States Code (Bankruptcy).

SHORT TITLE: 	CASE NUMBER:
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6. ☐ Plaintiff's claim or claims arise out of conduct by the defendant who is a natural person of a trade, business, or profession. The claim or claims are not based on the sale or lease of property, a license to use property, the furnishing of services, or the loan of money where any of the foregoing was used by the defendant primarily for personal, family, or household purposes.
7. The facts showing plaintiff is entitled to a judgment on the claim on which the attachment is based are set forth with particularity in the
- ☐ verified complaint.
 - ☐ attached affidavit or declaration.
 - ☐ following facts (*specify*):
8. The amount to be secured by the attachment is: \$
- ☐ which includes estimated costs of: \$
 - ☐ which includes estimated allowable attorney fees of: \$
9. Plaintiff is informed and believes that the following property sought to be attached for which a method of levy is provided is subject to attachment:
- ☐ Any property of a defendant who is **not** a natural person.
 - ☐ Any property of a nonresident defendant.
 - ☐ Property of a defendant who is a natural person that is subject to attachment under Code of Civil Procedure section 487.010 described as follows (*specify*):
- d. ☐ Property covered by a bulk sales notice with respect to a bulk transfer by defendant on the proceeds of the sale of such property (*describe*):
- e. ☐ Plaintiff's pro rata share of proceeds from an escrow in which defendant's liquor license is sold (*specify license number*):
10. Plaintiff is informed and believes that the property sought to be attached is not exempt from attachment.
11. ☐ The court issued a Right to Attach Order on (*date*):
(*Attach a copy.*)
12. ☐ Nonresident defendant has not filed a general appearance.

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13. a. Plaintiff ☐ alleges on ex parte application for order for writ of attachment
☐ is informed and believes on application for temporary protective order
that plaintiff will suffer great or irreparable injury if the order is not issued before the matter can be heard on notice because
(1) ☐ it may be inferred that there is a danger that the property sought to be attached will be
(a) ☐ concealed.
(b) ☐ substantially impaired in value.
(c) ☐ made unavailable to levy by other than concealment or impairment in value.
(2) ☐ defendant has failed to pay the debt underlying the requested attachment and is insolvent as defined in Code of Civil
Procedure section 485.010, subdivision (b)(2).
(3) ☐ a bulk sales notice was recorded and published pursuant to Division 6 of the Commercial Code with respect to a bulk
transfer by the defendant.
(4) ☐ an escrow has been opened under the provisions of Business and Professions Code section 24074 with respect to
the sale by the defendant.
(5) ☐ other circumstances (*specify*):

- b. The statements in item 13a are established by ☐ the attached affidavit or declaration
☐ the following facts (*specify*):

14. ☐ Plaintiff requests the following relief by temporary protective order (*specify*):

15. Plaintiff
a. ☐ has filed an undertaking in the amount of: \$
b. ☐ has not filed an undertaking.

Date:

..... (TYPE OR PRINT NAME OF PLAINTIFF OR PLAINTIFF'S ATTORNEY)	 _____ (SIGNATURE OF PLAINTIFF OR PLAINTIFF'S ATTORNEY)
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DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

..... (TYPE OR PRINT NAME)	 _____ (SIGNATURE OF DECLARANT)
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16. Number of pages attached: _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): ATTORNEY FOR (Name): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	TELEPHONE NO.:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:		CASE NUMBER:
APPLICATION AND NOTICE OF HEARING FOR ORDER <input type="checkbox"/> to Set Aside Right to Attach Order, Quash Writ of Attachment, and Release Attached Property <input type="checkbox"/> to Release Attached Property Exceeding in Value the Amount to be Secured <input type="checkbox"/> to Substitute Defendant's Undertaking for Property <input type="checkbox"/> to Increase Plaintiff's Undertaking <input type="checkbox"/> to Determine Sufficiency of Plaintiff's Sureties <input type="checkbox"/> to Reduce Amount to be Secured by the Attachment EX PARTE APPLICATION FOR ORDER <input type="checkbox"/> to Discharge Attachment and Release Property Levied Upon <input type="checkbox"/> to Release Property Levied Upon Due to Filing of Undertaking on Appeal		

1. ☐ To plaintiff (name):
 You are notified that a hearing on defendant's application in item 2 will be held in this court as follows:

date:	time:	<input type="checkbox"/> dept.:	<input type="checkbox"/> div.:	<input type="checkbox"/> rm.:
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2. ☐ Resident ☐ Nonresident defendant
 (name):
 makes application for an order
- a. ☐ (1) to set aside the Right to Attach Order issued on
 (date):
 (2) to quash the Writ of Attachment issued on
 (date):
 (3) to release the attached property of the defendant described in the writ.
- b. ☐ to substitute an undertaking in the amount of
 \$ _____ in lieu of
 (1) ☐ all of defendant's property which has been attached or is subject to attachment.
 (2) ☐ the following portion of defendant's property which has been attached or is subject to attachment:
 (a) value: \$ _____
 (b) description: _____
- c. ☐ for release of the following attached property to the extent that the value of defendant's interest in the property clearly exceeds the amount necessary to satisfy the amount to be secured by the attachment:
 (1) value: \$ _____
 (2) description: _____

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2. d. ☐ to reduce the amount to be secured by the attachment in the amount of \$
(specify grounds):
- e. ☐ to increase the amount of plaintiff's undertaking on the following grounds (CCP 489.220) (specify):
- f. ☐ to determine the sufficiency of sureties on the following grounds (specify):
- g. ☐ to discharge the attachment and release property levied upon on the grounds that defendant recovered judgment in the action. Plaintiff has not filed and served a timely motion to vacate the judgment or for judgment notwithstanding the verdict or for a new trial; nor has plaintiff perfected an appeal; nor has plaintiff filed the undertaking required by CCP 921.
- h. ☐ to release defendant's property levied upon owing to the stay of enforcement of plaintiff's judgment upon defendant's filing of an undertaking on appeal.
3. ☐ Defendant's title to the property identified in item
☐ 2b(1) ☐ 2b(2) and the manner of its acquisition is set forth in the
☐ attached affidavit ☐ following facts:
4. ☐ No defendant other than the applicant has an interest in the property described in item
☐ 2b(1) ☐ 2b(2)
5. ☐ Nonresident defendant's application is made on the grounds of a general appearance and defendant states
- a. ☐ the Right to Attach Order was issued pursuant to CCP 492.010.
- b. ☐ the general appearance was filed in this action on
(date)
- c. ☐ this application is the first appearance of the defendant.
6. ☐ Defendant's application is supported by the
- a. ☐ attached affidavit.
- b. ☐ following facts (specify):
- c. ☐ attached points and authorities.
- d. ☐ following points and authorities (specify):

Date:

.....
(TYPE OR PRINT NAME OF DEFENDANT)



(SIGNATURE OF DEFENDANT)

By
(NAME AND TITLE)

DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

7. Total number of pages attached:

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name and Address)</i> : ATTORNEY FOR <i>(Name)</i> : NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	TELEPHONE NO.:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:		CASE NUMBER:
APPLICATION FOR ORDER <input type="checkbox"/> AND NOTICE OF HEARING <input type="checkbox"/> TO TERMINATE TEMPORARY PROTECTIVE ORDER AFTER HEARING <input type="checkbox"/> TO MODIFY OR VACATE TEMPORARY PROTECTIVE ORDER <input type="checkbox"/> EX PARTE <input type="checkbox"/> AFTER HEARING		

1. ☐ To plaintiff *(name)*:

You are notified that a hearing on defendant's application in item 2 will be held as follows:

date:	time:	<input type="checkbox"/> dept.:	<input type="checkbox"/> div.:	<input type="checkbox"/> rm.:
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2. ☐ Defendant *(name)*:

makes application on notice for an order

- a. ☐ to terminate the Temporary Protective Order issued on *(date)*:
- b. ☐ to vacate the Temporary Protective Order issued on *(date)*:
- c. ☐ to modify the Temporary Protective Order issued on *(date)*:
as follows:

3. ☐ Defendant *(name)*:

makes ex parte application for an order

- a. ☐ to vacate the Temporary Protective Order issued on *(date)*:
- b. ☐ to modify the Temporary Protective Order issued on *(date)*:
as follows:

4. ☐ Defendant's application to terminate the Temporary Protective Order is made on the grounds that defendant ☐ has filed ☐ will file a sufficient undertaking pursuant to CCP 489.320 in the amount of \$

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5. ☐ Defendant's application
- ☐ to vacate ☐ to modify the Temporary Protective Order is made on the grounds of the interests of justice and equity to the parties pursuant to CCP 486.100. Defendant's application is based upon the
- a. ☐ attached affidavit.
- b. ☐ following facts (*specify*):
- c. ☐ attached points and authorities.
- d. ☐ following points and authorities (*specify*):

Date:

.....
(TYPE OR PRINT NAME OF DEFENDANT)



(SIGNATURE OF DEFENDANT)

By:
(NAME AND TITLE)

DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

6. Total number of pages attached:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO.:</div> </div> ATTORNEY FOR (Name): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:	
NOTICE OF APPLICATION AND HEARING FOR <input type="checkbox"/> RIGHT TO ATTACH ORDER <input type="checkbox"/> ORDER FOR ISSUANCE OF <input type="checkbox"/> WRIT OF ATTACHMENT <input type="checkbox"/> ADDITIONAL WRIT OF ATTACHMENT	CASE NUMBER:

1. Notice to defendant (name, address, and telephone number, if known):

2. Plaintiff has filed an application for

- a. ☐ a right to attach order and writ of attachment. (Check items 6a, 6b, and 6d(1).)
- b. ☐ a writ of attachment. (Check item 6d(2).)
- c. ☐ an additional writ of attachment. (Check item 6d(2).)

3. A hearing on plaintiff's application will be held in this court as follows:

Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Div.:	<input type="checkbox"/> Rm.:
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4. The request of plaintiff for an order is based upon the application and affidavit or declaration filed and served with this notice.

5. Your attention is directed to the following sections of the Code of Civil Procedure that set forth when attachment may or may not be issued, the manner of calculating the amount to be secured by the attachment, the court's discretion to include costs and attorney's fees, and special limitations on the amount to be secured by attachment in unlawful detainer proceedings. (Code Civ. Proc., §§ 482.110, 483.010, 483.015, 483.020.)

6. You are notified that

- a. ☐ A right to attach order will be issued if the court finds at the hearing that plaintiff's claim is probably valid and the other requirements for issuing the order are established. This hearing may include both written and oral presentations, but is not for the purpose of determining whether the claim is actually valid. Determination of the actual validity of the claim will be made in subsequent proceedings in the action and will not be affected by the decision at the hearing on the application for the order.
- b. ☐ If you desire to oppose the issuance of a right to attach order or object to the amount to be secured by the attachment as provided in Code of Civil Procedure section 483.015 (or Code of Civil Procedure section 483.020 in unlawful detainer actions), you must file with this court and serve on plaintiff (no later than five court days prior to the date set for hearing in item 3) a notice of opposition and supporting declaration or affidavit as required by Code of Civil Procedure section 484.060.
- c. If a right to attach order is or has been issued, a writ of attachment will be issued to attach your property described in plaintiff's application unless the court determines that the property is exempt from attachment or that its value clearly exceeds the amount necessary to satisfy the amount to be secured by the attachment. However, since the right to attach order will not necessarily be limited to your property described in plaintiff's application, a writ of attachment may later be issued to attach other nonexempt property of yours.

SHORT TITLE: —	CASE NUMBER:
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6. d. If you claim that all or some portion of the property described in plaintiff's application is exempt from attachment, you must no later than five court days prior to this hearing

(1) ☐ include your claim of exemption in your notice of opposition filed and served pursuant to Code of Civil Procedure section 484.060 or file and serve a separate claim of exemption with respect to the property as provided in Code of Civil Procedure section 484.070.

(2) ☐ file with the court and serve on plaintiff a claim of exemption with respect to the property as provided in Code of Civil Procedure section 484.350.

If you fail to make a claim of exemption with respect to personal property, or make a claim of exemption with respect to real or personal property, but fail to prove that the property is exempt, any further claim of exemption with respect to the property will be barred unless you show a change in circumstances occurring after expiration of the time for claiming exemptions.

- e. Claims of exemption resulting from a change of circumstances, whether after denial of a previous claim or expiration of the time for claiming exemptions, may be asserted as provided in Code of Civil Procedure section 482.100.
- f. You may obtain a determination at the hearing whether property not described in the application is exempt from attachment. Your failure to claim that property not described in the application is exempt from attachment will not preclude you from making a claim of exemption with respect to the property at a later time.
- g. You may also obtain a determination at the hearing whether the amount sought to be secured by the attachment shall be reduced by
- (1) the amount of any money judgment in your favor and against plaintiff that remains unsatisfied and enforceable,
 - (2) the amount of any indebtedness of the plaintiff that you have claimed in a cross-complaint filed in the action if your claim is one upon which an attachment could be issued,
 - (3) the amount of any claim asserted by you as a defense in the answer pursuant to Code of Civil Procedure section 431.70 if the claim is one upon which an attachment could be issued had an action been brought on the claim when it was not barred by the statute of limitations, or
 - (4) the value of any security interest in your property held by plaintiff to secure the indebtedness claimed by plaintiff, together with the amount by which the value of the security interest has decreased due to the act of the plaintiff or a prior holder of the security interest.
- h. The amount to be secured by an attachment is determined pursuant to the following statutes:
- (1) **Code of Civil Procedure section 482.110.** A writ of attachment may include an estimate of the costs and allowable attorney fees.
 - (2) **Code of Civil Procedure section 483.010.** An attachment may issue on a claim for \$500 or more based on a contract, express or implied, exclusive of attorney fees, costs, and interests. If the claim was originally secured by an interest in real property (e.g., a mortgage or trust deed), an attachment may issue only if the security has become valueless or decreased in value to less than the amount owing on the claim, through no fault of plaintiff or the security holder (if different from plaintiff).
 - (3) **Code of Civil Procedure section 483.015.** The amount to be attached includes the amount of the indebtedness claimed by plaintiff, plus estimated costs and allowable attorney fees, reduced by the sum of the following:
 - (a) the amount of any unsatisfied money judgment held by defendant against plaintiff;
 - (b) the amount of any indebtedness of plaintiff claimed by defendant in a cross-complaint filed in the action (if a writ of attachment could issue on the claim);
 - (c) the amount of any cross-demand for money owed by plaintiff to defendant that is barred by the statute of limitations (but assertable as a Code of Civil Procedure section 431.70 defense) if the debt was one upon which a writ of attachment could have been issued before the statute of limitations ran; and
 - (d) the amount of any security interest held by plaintiff in defendant's property, together with any decrease in the value of the underlying security caused by plaintiff or a prior security holder.

SHORT TITLE: _____	CASE NUMBER:
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- (4) **Code of Civil Procedure section 483.020.** An attachment ordered in an unlawful detainer proceeding may include:
- (a) the amount of rent past due when the complaint is filed;
 - (b) an additional amount for the estimated rent due from the date the complaint was filed until the estimated date of judgment or delivery of possession to plaintiff; plus
 - (c) estimated costs and attorney fees.

Any prepaid rent or lease deposits held by plaintiff are disregarded in calculating the amount of attachment. However, the amount of attachment will be reduced by the amounts described in Code of Civil Procedure section 483.015 (above).

- i. Either you or your attorney or both of you may be present at the hearing.
- j. YOU MAY SEEK THE ADVICE OF AN ATTORNEY AS TO ANY MATTER CONNECTED WITH PLAINTIFF'S APPLICATION. THE ATTORNEY SHOULD BE CONSULTED PROMPTLY SO THAT THE ATTORNEY MAY ASSIST YOU BEFORE THE TIMES FOR FILING YOUR OPPOSITION AND CLAIMS OF EXEMPTION, AND FOR THE HEARING.

Date:

.....
(TYPE OR PRINT NAME OF PLAINTIFF OR PLAINTIFF'S ATTORNEY)



(SIGNATURE OF PLAINTIFF OR PLAINTIFF'S ATTORNEY)

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name and Address)</i> : ATTORNEY FOR (Name): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	TELEPHONE NO.:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:		CASE NUMBER:
ORDER <input type="checkbox"/> to Set Aside Right to Attach Order, Quash Writ of Attachment, and Release Property Levied Upon <input type="checkbox"/> to Release Attached Property Exceeding in Value the Amount to be Secured <input type="checkbox"/> to Substitute Defendant's Undertaking for Property <input type="checkbox"/> to Increase Plaintiff's Undertaking <input type="checkbox"/> to Determine Sufficiency of Plaintiff's Sureties <input type="checkbox"/> to Discharge Attachment and Release Property Levied Upon (Ex Parte) <input type="checkbox"/> to Release Property Levied Upon Due to Filing of Undertaking on Appeal (Ex Parte) <input type="checkbox"/> to Reduce the Amount to be Secured by the Attachment		

1. a. The court has considered the application of defendant

(name):

for an order

- (1) ☐ to set aside Right to Attach Order, quash Writ of Attachment, and release property levied upon.
- (2) ☐ to release attached property exceeding in value the amount to be secured.
- (3) ☐ to substitute defendant's undertaking for property.
- (4) ☐ to increase plaintiff's undertaking.
- (5) ☐ determining sufficiency of plaintiff's sureties.
- (6) ☐ to discharge attachment and release property levied upon.
- (7) ☐ to release property levied upon due to filing of undertaking on appeal.
- (8) ☐ to reduce the amount to be secured by the attachment.

b. ☐ On hearing as follows *(check boxes in items (3) and (4) below to indicate personal presence)*:

(1) Judge *(name)*:

(2) Hearing date: _____ time: _____ ☐ dept.: _____ ☐ div.: _____ ☐ rm.:

(3) ☐ Plaintiff *(name)*:

☐ Attorney *(name)*:

(4) ☐ Defendant *(name)*:

☐ Attorney *(name)*:

c. ☐ Ex parte.

2. THE COURT FINDS

a. ☐ Plaintiff is not entitled to the Right to Attach Order issued on

(date):

b. ☐ Nonresident defendant has filed a general appearance and plaintiff has not shown that the Right to Attach order is authorized by a provision other than CCP 492.010.

c. ☐ The value of defendant's interest in property attached is

\$

which exceeds the amount necessary to satisfy the amount to be secured by the attachment by

\$

d. ☐ The defendants named in item 1a are the only defendants who have an interest in the property described in item 2f.

e. ☐ The following defendants, not named in item 1a, have an interest in the property described in item 2f *(names)*:

SHORT TITLE:	CASE NUMBER:
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2. f. ☐ an undertaking in the amount of \$ _____ is a sufficient substitution for the following property which
- (1) ☐ has been attached (*describe*):
- (2) ☐ is subject to attachment (*describe*):
- g. ☐ The undertaking is insufficient as follows (*specify*):
- h. ☐ Defendant has recovered judgment against plaintiff and (1) no timely motion to vacate the judgment or for judgment notwithstanding the verdict or for a new trial has been filed and served and is pending and no appeal has been perfected; and (2) no undertaking has been executed and filed as required by CCP 921.
- i. ☐ Enforcement of plaintiff's judgment is stayed by the filing of an undertaking on appeal and justification of defendant's sureties
- ☐ has been made.
- ☐ has been waived in writing.
- ☐ has been waived by failure to timely object.
- j. ☐ The amount to be secured by the attachment may be reduced by the amount of \$ _____
- k. ☐ Other (*specify*):

ORDER

3. IT IS ORDERED

- a. ☐ The Right to Attach Order issued on (*date*): _____ is set aside.
- b. ☐ The Writ of Attachment issued on (*date*): _____ is quashed.
- c. ☐ The property levied upon pursuant to the Writ of Attachment issued on (*date*): _____ is released as follows:
- (1) ☐ all property.
- (2) ☐ property in the amount of \$ _____
- (3) ☐ the following property (*describe*):
- d. ☐ Defendant may substitute an undertaking for property which has been attached as follows:
- (1) amount of undertaking: \$ _____
- (2) property (*describe*):
- e. ☐ Defendant may file an undertaking to prevent the levy upon property as follows:
- (1) amount of undertaking: \$ _____
- (2) property (*describe*):
- f. ☐ An increase in the amount of plaintiff's undertaking is required to a total undertaking of \$ _____
- An undertaking in this amount shall be filed on or before (*date*): _____
- g. ☐ Plaintiff shall file an undertaking by (*date*): _____ with sufficient sureties.
- h. ☐ The amount to be secured by the attachment is reduced to \$ _____
- i. ☐ Other:
- j. Total number of boxes checked in item 3

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF JUDGE OR MAGISTRATE JUDGE)

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name and Address)</i> : ATTORNEY FOR <i>(Name)</i> : NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	TELEPHONE NO.:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:		CASE NUMBER:
NOTICE OF <input type="checkbox"/> OPPOSITION TO APPLICATION FOR RIGHT TO ATTACH ORDER <input type="checkbox"/> CLAIM OF EXEMPTION <input type="checkbox"/> MOTION (AFTER ISSUANCE OF WRIT) FOR CLAIM OF EXEMPTION <input type="checkbox"/> AND MOTION FOR CLAIM OF EXEMPTION		

1. To plaintiff *(name)*:

2. You are notified that a hearing will be held in this court as follows:

date:	time:	<input type="checkbox"/> dept.:	<input type="checkbox"/> div.:	<input type="checkbox"/> rm.:
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3. This opposition or claim of exemption is filed by

a. ☐ defendant *(specify name)*:

b. ☐ nondefendant *(specify name and mailing address where service of opposition may be made)*:

(name and last known address of defendant):

4. Opposing party

a. ☐ will oppose the issuance of a right to attach order upon the following grounds *(specify grounds of opposition)*:

b. ☐ objects to the amount sought to be secured by the attachment upon the following grounds *(specify grounds of opposition)*:

SHORT TITLE:	CASE NUMBER:
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4. c. ☐ will claim exemption.
☐ will move the court for an exemption from attachment of the following property:
- (1) ☐ Property exempt from execution under CCP 703.010 et seq. *(specify code section and describe property):*
- (a) ☐ Property exempt under CCP 704.010 [motor vehicles] or 704.060 [tools of a trade] *(describe all other property of the same type, including exempt proceeds of property of the same type, owned by defendant alone or in combination with others on the date of levy and identify the property to which the exemption is to be applied, regardless of whether it was levied upon):*
- (b) ☐ Property exempt under CCP 704.100 life insurance policies] *(state the nature and amount of all other property of the same type owned by defendant or defendant's spouse alone or in combination with others on the date of levy):*
- (2) ☐ Property which is necessary for the support of a defendant who is a natural person and the family of the defendant supported in whole or in part by the defendant (CCP 487.020(b) *(describe the property and attach a financial statement executed under oath as required in CCP 703.530):*
- (3) ☐ Compensation paid or payable to a defendant employee by an employer for personal services performed by the employee whether denominated as wages, salary, commission, bonus, or otherwise (CCP 487.020(c)) *(describe compensation):*
- (4) ☐ Property not subject to attachment pursuant to CCP 487.010 *(describe property):*
- (5) ☐ Other *(describe property and specify grounds for exemption):*

5. Defendant's affidavit supporting any factual issues and points and authorities supporting any legal issues is attached.

6. Total number of pages attached:

Date:

.....
 (TYPE OR PRINT NAME)



 (SIGNATURE OF DEFENDANT OR ATTORNEY)

By

.....
 (NAME AND TITLE)

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name and Address)</i> : ATTORNEY FOR <i>(Name)</i> : NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	TELEPHONE NO.:	FOR COURT USE ONLY								
PLAINTIFF: DEFENDANT:		CASE NUMBER:								
<table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">ORDER</td> <td style="width: 10%; border: 1px solid black; text-align: center;"><input type="checkbox"/></td> <td>TO TERMINATE TEMPORARY PROTECTIVE ORDER</td> </tr> <tr> <td></td> <td style="border: 1px solid black; text-align: center;"><input type="checkbox"/></td> <td>TO MODIFY TEMPORARY PROTECTIVE ORDER</td> </tr> <tr> <td></td> <td style="border: 1px solid black; text-align: center;"><input type="checkbox"/></td> <td>TO VACATE TEMPORARY PROTECTIVE ORDER</td> </tr> </table>			ORDER	<input type="checkbox"/>	TO TERMINATE TEMPORARY PROTECTIVE ORDER		<input type="checkbox"/>	TO MODIFY TEMPORARY PROTECTIVE ORDER		<input type="checkbox"/>
ORDER	<input type="checkbox"/>	TO TERMINATE TEMPORARY PROTECTIVE ORDER								
	<input type="checkbox"/>	TO MODIFY TEMPORARY PROTECTIVE ORDER								
	<input type="checkbox"/>	TO VACATE TEMPORARY PROTECTIVE ORDER								

1. The court has considered the application of defendant *(name)*:

for an order

- ☐ to terminate Temporary Protective Order
☐ to modify Temporary Protective Order
☐ to vacate Temporary Protective Order

a. ☐ On hearing as follows *(check boxes in items (3) and (4) to indicate personal presence)*:

(1) Judge *(name)*:

(2) Hearing date:

time:

☐

dept.:

☐

div.:

☐

rm.:

(3) ☐ Plaintiff *(name)*:

☐

Attorney *(name)*:

(4) ☐ Defendant *(name)*:

☐

Attorney *(name)*:

b. ☐ Ex parte.

2. THE COURT FINDS

a. ☐ The amount sought to be secured by the attachment is
\$

b. ☐ The interests of justice and equity to the parties require that the Temporary Protective Order issued on
(date)

be ☐ modified.

☐ vacated because of the following facts *(specify)*:

c. ☐ Other *(specify)*:

SHORT TITLE:	CASE NUMBER:
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ORDER

3. IT IS ORDERED

- a. The Temporary Protective Order issued on *(date)*: is
- ☐ terminated upon the filing of an undertaking in the amount of \$
- ☐ vacated
- ☐ modified as follows *(specify)*:

- b. ☐ Other *(specify)*:

Date:

 _____
(SIGNATURE OF JUDGE OR MAGISTRATE JUDGE)

4. Total number of boxes checked in item 3:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO.:</div> </div> ATTORNEY FOR (Name): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:	
TEMPORARY PROTECTIVE ORDER	CASE NUMBER:

1. The court has considered the application of plaintiff for
- a. ☐ a right to attach order, order for issuance of writ of attachment pursuant to Chapter 4 (beginning with Code Civ. Proc., § 484.010), and a temporary protective order.
 - b. ☐ an ex parte right to attach order and order for issuance of writ of attachment under Chapter 5 (beginning with Code Civ. Proc., § 485.010).

FINDINGS

2. THE COURT FINDS
- a. Defendant is a ☐ natural person ☐ partnership ☐ unincorporated association ☐ corporation ☐ other (specify):
 - b. The amount sought to be secured by the attachment under the application for the right to attach is: \$
 - c. The claim upon which the application for attachment is based is one upon which an attachment may be issued under Code of Civil Procedure section 483.010.
 - d. Plaintiff has established the probable validity of the claim upon which the application for the attachment is based.
 - e. The order is not sought for a purpose other than the recovery upon the claim on which the application for the attachment is based.
 - f. Great or irreparable injury will result to the plaintiff if this order is not issued, based on the following:
 - (1) ☐ There is a danger that the property sought to be attached would be
 - (a) ☐ concealed.
 - (b) ☐ substantially impaired in value.
 - (c) ☐ made unavailable to levy by other than concealment or substantial impairment in value.
 - (2) ☐ Defendant has failed to pay the debt underlying the requested attachment and is insolvent as defined in Code of Civil Procedure section 485.010, subdivision (b)(2).
 - (3) ☐ A bulk sales notice was recorded and published pursuant to Division 6 (beginning with section 6101) of the Commercial Code with respect to a bulk transfer by the defendant.
 - (4) ☐ An escrow has been opened pursuant to the provisions of Business and Professions Code section 24074 with respect to the sale by the defendant of a liquor license. The liquor license number is:
 - (5) ☐ Other circumstances:
 - g. ☐ The requirements of Code of Civil Procedure section 485.220 are satisfied, but a temporary protective order should issue instead of an ex parte right to attach order and order for issuance of writ of attachment.
 - h. Plaintiff must file an undertaking in the amount of: \$ before a temporary protective order shall issue, and plaintiff has filed an undertaking in that amount.
 - i. The property subject to the following order is:

SHORT TITLE: _____	CASE NUMBER: _____
---------------------------	---------------------------

2. j. ☐ The following property of defendant is inventory or farm products held for sale and may be transferred in the ordinary course of business (*specify*):
- k. ☐ Other (*specify*):

ORDER

3. THE COURT ORDERS

- a. Defendant shall not transfer, directly or indirectly, any interest in the property described in item 2i of the findings.
- b. ☐ Defendant shall not dispose of the proceeds of any transfer of inventory or farm products held for sale except under the following restrictions:
- c. ☐ Other (*specify*):
- d. This order shall expire at the earliest of the following times:
- (1) when plaintiff levies upon specific property described in this order,
- (2) after (*date*): _____, or
- (3) 40 days after the issuance of this order.

4. Number of pages attached: _____

Date: _____



.....
(TYPE OR PRINT NAME)

(SIGNATURE OF JUDGE OR MAGISTRATE JUDGE)

NOTICE TO DEFENDANT: An undertaking has been filed with the court by plaintiff. You may object to the undertaking.

- a. You may issue any number of checks against any of your accounts in a financial institution in this state in any amount for the following purposes:
- (1) Payment of any payroll expense (including fringe benefits and taxes and premiums for workers' compensation and unemployment insurance) falling due in the ordinary course of business prior to the levy of a writ of attachment.
- (2) Payment for goods thereafter delivered to you C.O.D. for use in your trade, business, or profession.
- (3) Payment of taxes if payment is necessary to avoid penalties which will accrue if there is any further delay in payment.
- (4) Payment of reasonable legal fees and reasonable costs and expenses required for your representation in the action.
- b. In addition, you may issue any number of checks for any purpose so long as the total amount of such checks does not exceed the greater of the following:
- (1) The amount by which the total amount on deposit exceeds the sum of the amount sought to be secured by the attachment and the amounts permitted to be paid pursuant to this notice.
- (2) One thousand dollars (\$1,000).
- c. If the property is farm products held for sale or is inventory, the temporary protective order may not prohibit you from transferring the property in the ordinary course of business, but may impose appropriate restrictions on the disposition of the proceeds from such transfer.

[SEAL]

CLERK'S CERTIFICATE

I certify that the foregoing is a correct copy of the original on file in my office.
Date: _____

Clerk, by _____, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name and Address</i>): ATTORNEY FOR (<i>Name</i>): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	TELEPHONE NO.:	FOR COURT USE ONLY
PLAINTIFF: DEFENDANT:		CASE NUMBER:
UNDERTAKING BY PERSONAL SURETIES FOR <input type="checkbox"/> PLAINTIFF'S <input type="checkbox"/> Attachment <input type="checkbox"/> DEFENDANT'S <input type="checkbox"/> Claim and Delivery		

1. ☐ Plaintiff (*name*):
2. ☐ Defendant (*name*):
3. Amount of undertaking: \$
4. **Claim and delivery only** Address to which notice of exception to sureties may be sent (*specify*):

5. This undertaking is for ☐ attachment.
☐ claim and delivery.

We, the undersigned, hereby submit to the jurisdiction of the court in all matters affecting our liability on this undertaking and obligate ourselves, jointly and severally, to and including the amount specified in item 3,

ATTACHMENT

- a. ☐ to pay defendant any amount the defendant may recover for any wrongful attachment by the plaintiff in the action pursuant to CCP 489.210.
- b. ☐ to pay the plaintiff the value of the property released not exceeding the amount of any judgment which may be recovered by the plaintiff in an action against the defendant pursuant to CCP 489.310.
- c. ☐ to pay the plaintiff the amount of any judgment that may be recovered by the plaintiff in the action against the defendant pursuant to CCP 489.320.

CLAIM AND DELIVERY

- d. ☐ to plaintiff, that if plaintiff recover judgment in the action, defendant shall pay all costs awarded to plaintiff and all damages that plaintiff may sustain by reason of the loss of the property, not exceeding the amount of this undertaking pursuant to CCP 515.020.
- e. ☐ to defendant, in the amount of the undertaking for the return of the property to defendant if a return is ordered, and for the payment of any sum defendant may recover against plaintiff, not exceeding the amount of this undertaking pursuant to CCP 515.010.

6. Surety (*name*):

- a. Occupation:
- b. Residence address:
- c. Business address:
- d. Address for service:

6. Surety (*name*):

- a. Occupation:
- b. Residence address:
- c. Business address:
- d. Address for service:

SHORT TITLE:	CASE NUMBER:
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7. I am neither an officer of the court nor a member of the State Bar of California, but I am a resident and

☐ householder
☐ owner of real property

within California and I am worth the amount of the bond in real or personal property, or both, situated in this state, over and above all my debts and liabilities, exclusive of property exempt from enforcement of a money judgment.

8. **[To be completed when undertaking exceeds \$5,000.]**

a. I rely on the following described property belonging to me and situated in this state as qualifying me on the undertaking *(describe property and nature of declarant's interest and specify best estimate of fair market value of each item of property)*:

b. The charges, liens, impediments, or clouds against any item of property known to me and the amounts thereof are as follows *(specify)*:

9. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

▶ _____
(SIGNATURE OF SURETY)

.....
(TYPE OR PRINT NAME)

7. I am neither an officer of the court nor a member of the State Bar of California, but I am a resident and

☐ householder
☐ owner of real property

within California and I am worth the amount of the bond in real or personal property, or both, situated in this state, over and above all my debts and liabilities, exclusive of property exempt from enforcement of a money judgment.

8. **[To be completed when undertaking exceeds \$5,000.]**

a. I rely on the following described property belonging to me and situated in this state as qualifying me on the undertaking *(describe property and nature of declarant's interest and specify best estimate of fair market value of each item of property)*:

b. The charges, liens, impediments, or clouds against any item of property known to me and the amounts thereof are as follows *(specify)*:

9. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

▶ _____
(SIGNATURE OF SURETY)

.....
(TYPE OR PRINT NAME)

COURT APPROVAL
(Attachment only)

The undertaking is approved.

Date:

▶ _____
(SIGNATURE OF JUDGE OR MAGISTRATE JUDGE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): 	TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR LIEN CLAIMANT: NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF: DEFENDANT:		
NOTICE OF LIEN (Attachment—Enforcement of Judgment)		
		CASE NUMBER:

ALL PARTIES IN THIS ACTION ARE NOTIFIED THAT

1. A lien is created by this notice under
 - a. ☐ Article 3 (commencing with section 491.410) of Chapter 11 of Title 6.5 of Part 2 of the Code of Civil Procedure.
 - b. ☐ Article 5 (commencing with section 708.410) of Chapter 6 of Title 9 of Part 2 of the Code of Civil Procedure.
2. The lien is based on a
 - a. ☐ right to attach order and an order permitting the creation of a lien (copies attached).
 - b. ☐ money judgment.
3. The right to attach order or the money judgment is entered in the following action:
 - a. Title of court (*specify*):
 - b. Name of case (*specify*):
 - c. Number of case (*specify*):
 - d. ☐ Date of entry of judgment (*specify*):
 - e. ☐ Dates of renewal of judgment (*specify*):
4. The name and address of the judgment creditor or person who obtained the right to attach order are (*specify*):
5. The name and last known address of the judgment debtor or person whose property is subject to the right to attach order are (*specify*):
6. The amount required to satisfy the judgment creditor's money judgment or to secure the amount to be secured by the attachment at the time this notice of lien is filed is
\$
7. The lien created by this notice attaches to any cause of action of the person named in item 5 that is the subject of this action or proceeding and to that person's rights to money or property under any judgment subsequently procured in this action or proceeding.
8. No compromise, dismissal, settlement, or satisfaction of this action or proceeding or any of the rights of the person named in item 5 to money or property under any judgment procured in this action or proceeding may be entered into by or on behalf of that person, and that person may not enforce any rights to money or property under any judgment procured in this action or proceeding by a writ or otherwise, unless one of the following requirements is satisfied:
 - a. the prior approval by order of the court in this action or proceeding has been obtained;
 - b. the written consent of the person named in item 4 has been obtained or that person has released the lien; or
 - c. the money judgment of the person named in item 4 has been satisfied.

NOTICE The person named in item 5 may claim an exemption for all or any portion of the money or property within 30 days after receiving notice of the creation of the lien. The exemption is waived if it is not claimed in time.

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF LIEN CLAIMANT OR ATTORNEY)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO.:</div> </div> ATTORNEY FOR (Name): NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: PLAINTIFF: DEFENDANT:	FOR COURT USE ONLY
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person) <input type="checkbox"/> Judgment Debtor <input type="checkbox"/> Third Person	CASE NUMBER:

ORDER TO APPEAR FOR EXAMINATION

1. TO (name):
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
 - a. ☐ furnish information to aid in enforcement of a money judgment against you.
 - b. ☐ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
 - c. ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date:	Time:	Courtroom Number:
Address of court <input type="checkbox"/> shown above <input type="checkbox"/> is:		

3. This order may be served by a sheriff, marshal, registered process server, **or** the following specially appointed person (name):

Date: _____

JUDGE OR MAGISTRATE JUDGE

This order must be served not less than 10 days before the date set for the examination.

IMPORTANT NOTICES ON REVERSE

APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

4. ☐ Judgment creditor ☐ Assignee of record ☐ Plaintiff who has a right to attach order
 applies for an order requiring (name): _____ to appear and furnish information
 to aid in enforcement of the money judgment or to answer concerning property or debt.
5. The person to be examined is
 - a. ☐ the judgment debtor.
 - b. ☐ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
7. ☐ This court is **not** the court in which the money judgment is entered or (*attachment only*) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
8. ☐ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

 (TYPE OR PRINT NAME)

 (SIGNATURE OF DECLARANT)

APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)

NOTICE TO JUDGMENT DEBTOR If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

**APPEARANCE OF A THIRD PERSON
(ENFORCEMENT OF JUDGMENT)**

(1) NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

(2) NOTICE TO JUDGMENT DEBTOR The person in whose favor the judgment was entered in this action claims that the person to be examined pursuant to this order has possession or control of property which is yours or owes you a debt. This property or debt is as follows *(Describe the property or debt using typewritten capital letters)*:

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on the judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

APPEARANCE OF A THIRD PERSON (ATTACHMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

**APPEARANCE OF A CORPORATION, PARTNERSHIP,
ASSOCIATION, TRUST, OR OTHER ORGANIZATION**

It is your duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with your property and debts.